

**TOWN PLAN AND ZONING  
COMMISSION**

Issued: November 3, 2017

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING  
MONDAY, OCTOBER 2, 2017  
LEGISLATIVE CHAMBER, ROOM 314  
TOWN HALL, WEST HARTFORD, CT 06107**

**DRAFT MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners:  
John O'Donnell, Michele Maresca; Alternate: Gordon Binkhorst;  
Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

**ABSENT:** Commissioners: James Akin; Alternates: Liz Gillette

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

**MINUTES:**

1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Wednesday, September 6, 2017  
*Motion/Maresca; Second/Prestage; Vote: 4-0; Voting: Ahern, Prestage,  
Maresca, Binkhorst*

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**COMMUNICATIONS:**

2. **175 North Main Street-** Application (IWW #1065) of William Hardy, President, FIP Construction, Inc Applicant/Record Owner, requests to withdraw the application for agenda Item #13.  
*Withdrawal accepted. Motion/Prestage; Second/O'Donnell; Vote 5-0 (Binkhorst seated for Akin).*

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TOWN OF WEST HARTFORD

**TOWN OF WEST HARTFORD**  
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**NEW BUSINESS:**

3. **23 Winterset Lane**- Application (IWW #1066) of Patrick Nevins, Applicant/Property Owner, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to perform minor site work in the backyard of the property including, the removal of tree stumps, placement of fill and grading. (Submitted for IWWA receipt on October 2, 2017. Presented for determination of significance.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage, Second/Maresca) (Binkhorst seated for Akin) to find the proposed regulated activity to be **NON-SIGNIFICANT**. The IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements.

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4. **60 Sunset Farm Road**- Application (IWW #1067) of Phyllis M. Gelles, R.O. (Alan Bongiovanni, Land Surveyor) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on October 2, 2017. Suggest required public hearing be scheduled for November 6, 2017).

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Maresca, Second/O'Donnell) (Binkhorst seated for Akin) to schedule this matter for a public hearing on **November 6, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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5. **54 Sunset Farm Road**- Application (IWW #1068) of Robert Savin, R.O. (Alan Bongiovanni, Land Surveyor) requesting approval of a map amendment to the Official Inland Wetlands and Watercourses Map of the Town of West Hartford. The proposed amendment is based on an on-site soil survey prepared by a professional soil scientist. (Submitted for IWWA receipt on October 2, 2017. Suggest required public hearing be scheduled for November 6, 2017).

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Binkhorst, Second/Prestage) (Binkhorst seated for Akin) to schedule this matter for a public hearing on **November 6, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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6. **54 Sunset Farms Road** - Application (IWW #1069) of Robert Savin, record owner, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct a new single-family home and associated site amenities including an in-ground pool and septic system. (Submitted for IWWA receipt on October 2, 2017. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage, Second/O'Donnell) (Binkhorst seated for Akin) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **November 6, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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7. **975 North Main Street**- Application (SUP #1314) of the Town of West Hartford (Robert Palmer, Director of Plant Facilities) requesting Special Use Permit approval for construction of a new science wing consisting of six (6) classrooms at Hall High School. (Submitted for TPZ receipt on October 2, 2017. Suggest required public hearing be scheduled for November 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Binkhorst; Second/Prestage) (Binkhorst seated for Akin) to schedule this matter for a **public hearing on November 6, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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8. **170 Kingswood Road**- Application (SUP #1315) of Kingswood-Oxford School, LLC requesting Special Use Permit approval to construct a new athletic scoreboard and make changes to the existing scoreboards and photography tower on the playing fields. (Submitted for TPZ receipt on October 2, 2017. Suggest required public hearing be scheduled for November 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/O'Donnell; Second/Binkhorst) (Binkhorst seated for Akin) to schedule this matter for a **public hearing on November 6, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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9. **38 Wood Pond Road**- Application (IWW #1070) of Jack Kemper, Architect, on behalf of Robert Norman and Laura Craco (R.O.'s), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to raze the existing residence,

construct a new approximately 4,340 s.f. home and perform associated site improvements. (Submitted for IWWA receipt on October 2, 2017. Presented for determination of significance.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Binkhorst, Second/Prestage) (Binkhorst seated for Akin) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **December 4, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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10. **8 Wood Pond Road**- Application (IWW #1071) of Jason Ryan, Applicant/Property Owner, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct a 5' x 20' floating dock, which will be anchored at water's edge. (Submitted for IWWA receipt on October 2, 2017. Presented for determination of significance.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Binkhorst, Second/Prestage) (Binkhorst seated for Akin) to find the proposed regulated activity to be **NON-SIGNIFICANT**. The IWWA directed that the wetland permit be issued subject to full compliance with Town Erosion and Sedimentation Control requirements and with the following conditions:

1. The work is to be done by hand.
2. A silt fence shall be installed prior to any site disturbance.

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### **OLD BUSINESS:**

11. **34 Lasalle Road (AKA 36 Lasalle Road)**- Application (SUP #1311) of Jimi Brahim on behalf of Sarjac Partners, LLC, Record Owner, requesting Special Use Permit approval for a ten (10) seat outdoor dining area at Division West restaurant. (Submitted for TPZ receipt on July 10, 2017. Required public hearing scheduled for August 7, 2017. Public hearing postponed to October 2, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Binkhorst; Second/O'Donnell) (Binkhorst seated for Akin) to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:

- a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
  - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
  3. Prior to the initial opening of the outdoor dining area, an inspection by the Planning Division is required to ensure compliance with the approved plan.
  4. \*\*\*\*\*

12. **991 Farmington Avenue**- Application (SUP #1302-R1-17) of Dorjan Puka of Zohara Restaurant, on behalf of Lasalle Road Partners, Record Owner (Hilary Donald, AIA), seeking approval to amend SUP #1302 to increase the outdoor dining seating capacity from fifty-two (52) seat outdoor dining to eighty (80) seats. (Submitted for TPZ receipt on September 6, 2017. Required public hearing scheduled for October 2, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (Motion/Binkhorst; Second/O'Donnell) (Binkhorst seated for Akin) to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
  - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

- b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
- 2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
  - 3. The final plans shall depict the removal of the large potted plants on the west side of outdoor dining area entrance.
  - 4. Prior to operation of the outdoor dining area, an inspection by the Planning Division is required to ensure compliance with the approved plan.

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- 13. **175 North Main Street**- Application (IWW #1065) of William Hardy, President, FIP Construction, Inc., Applicant/Record Owner, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes the construction of an approximately 766 square feet addition; the expansion of an existing deck; and associated site improvements. (Submitted for IWWA receipt on September 6, 2017. Determined to be potentially significant and scheduled for public hearing on October 2, 2017.) *\*\*\*Subject to request to withdraw application, Communication Item #2\*\*\**

The TPZ accepted your request to withdraw the application by **unanimous vote (5-0)** (Motion/Prestage; Second/O'Donnell) (Binkhorst seated for Akin).

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#### **TOWN COUNCIL REFERRALS:**

- 14. **Ordinance Amending Certain Standards and Creating New Incentive-Based Zoning Standards Applicable in the Central Business (BC) Zone.** (Town Council receipt on September 12, 2017. TPZ receipt on October 2, 2017. Town Council public hearing scheduled for October 24, 2017.)

After a detailed review of the proposed ordinance, the TPZ acted by unanimous vote (5-0) (Motion/Prestage; Second/Maresca) (Binkhorst seated for Akin) **to RECOMMEND APPROVAL** of the subject ordinance. The Town Plan and Zoning Commission notes that the

request in consistent with the Plan of Conservation and Development. Overall, the TPZ believes that this a positive step forward representative of community feedback and compromise and is an innovative approach to encouraging appropriate development.

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15. **Ordinance Establishing Definitions for and Permitting of “Experiential Recreation and Restaurant Facilities.”** (Town Council receipt on September 12, 2017. TPZ receipt on October 2, 2017. Town Council public hearing scheduled for October 24, 2017.)

After a detailed review of the proposed ordinance, the TPZ acted by unanimous vote (5-0) (Motion/Prestage; Second/O’Donnell) (Binkhorst seated for Akin) **to RECOMMEND APPROVAL** of the subject ordinance.

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16. **Change of the Underlying Zone for 14 Mayflower Street from RM-3 (Multi-Family Residence District) to RP (Residence Parking District)**- Application on behalf of Udolf Mayflower 2, LLC and Udolf Mayflower LLC, requesting a change of the underlying zone for 14 Mayflower Street from RM-3 (Multi-Family Residence District) to RP (Residence Parking District). (Town Council receipt on September 12, 2017. TPZ receipt on October 2, 2017. Town Council public hearing scheduled for October 24, 2017.)

After a detailed review of the proposed ordinance, the TPZ acted by unanimous vote (5-0) (Motion/Maresca; Second/Binkhorst) (Binkhorst seated for Akin) **to RECOMMEND APPROVAL** of the subject application. The Town Plan and Zoning Commission notes that the request in consistent with the Plan of Conservation and Development and with the purpose of the Residence Parking District.

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## **TOWN PLANNER’S REPORT:**

## **INFORMATION ITEMS:**

## **MEETING ADJOURNED 9:02 P.M.**

## **REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:**

- TPZ Regular Meeting, Monday, November 6, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday December 4, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Wednesday, January 3, 2018 @ 7:00 P.M.

***“Any individual with a disability who needs special assistance to participate in the meeting should contact Social Services Department, 860.561.7561, five days prior to the meeting.”***

U: shareddocs/TPZ/Agenda//2017/Minutes/October 2 final minutes